

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
JACQUELYN N. WITT
3 Assistant Federal Public Defender
Nevada State Bar No. 13877
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577
Jackie_Witt@fd.org
6 Attorney for Roberto Pascacio-Garcia
7

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 ROBERTO PASCACIO-GARCIA,
14 Defendant.
15

Case No. 2:19-cr-00305-APG-NJK-1

**Stipulation to Continue Supplement's
Deadline to Motion for
Compassionate Release
(Third Request)**

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Jim W. Fang, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Jacquelyn N.
20 Witt, Assistant Federal Public Defender, counsel for Roberto Pascacio-Garcia, request that the
21 due date for Mr. Pascacio-Garcia's Supplement to Motion for Compassionate Release (ECF
22 No. 87), be extended from April 12, 2024 to June 11, 2024; and that the due date for the
23 government's response be extended until July 11, 2024.

24 This Stipulation is entered into for the following reasons:

25 1. On November 30, 2023, Mr. Pascacio-Garcia filed a motion seeking an order
26 reducing his sentence or modifying his judgment under the compassionate release statute at 18

1 U.S.C. §§ 3582(c) and 3553(a). ECF No. 87. Mr. Pascacio-Garcia is serving a 10-year sentence,
2 with an estimated release date of May 28, 2027.

3 2. Defense counsel met with Mr. Pascacio-Garcia and additional time is necessary
4 to conduct investigation to prepare argument for the motion.

5 3. Defense counsel received some documentation pertinent to the motion, but the
6 documents are in Spanish and will need to be translated.

7 4. Defense counsel anticipates that additional documentation will need to be
8 requested, including documents from out of state providers and facilities in Mexico.

9 5. This continuance is sought in good faith and not for the purposes of delay.

10 6. For these reasons, Mr. Pascacio-Garcia asks this Court to extend the deadline by
11 60-days for his Supplemental Motion for Order Reducing Sentence or Modifying Judgment
12 under 18 U.S.C. §§ 3582(c) and 3553(a), resetting the deadline for June 11, 2024, and the
13 government's response be extended until July 11, 2024. A proposed order is attached to this
14 stipulation for the Court's convenience.

15 DATED this 11th day of April, 2024.

16
17 RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

19 By /s/ Jacquelyn N. Witt
20 JACQUELYN N. WITT
Assistant Federal Public Defender

By /s/ Jim W. Fang
JIM W. FANG
Assistant United States Attorney


1
2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,
5 Plaintiff,
6
7 v.
8 ROBERTO PASCACIO-GARCIA,
9 Defendant.

Case No. 2:19-cr-00305-APG-NJK-1
ORDER

10
11 IT IS THEREFORE ORDERED that upon consideration of Defendant's Request to
12 Extend the Deadline for filing his Supplement to Motion for Compassionate Release, that the
13 Defendant's deadline to file his Supplement is extended to June 11, 2024; and that the
14 Government's deadline to file its response is extended to July 11, 2024.

15 DATED this 15th day of April, 2024.

16
17 
18 _____
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26